

**B IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA**

\*

v.

**\* CRIMINAL NO: 16-CR-267-5-CCB**

**RANDY BANKS,**

\*

**Defendant**

\*

\*

**UPDATED MOTION TO CONTINUE  
MOTIONS DATE AND TRIAL DATE**

COMES NOW, Attorney Brian Sardelli and respectfully requests this Updated Motion to Continue on behalf of Defendant, RANDY BANKS. It is anticipated that Attorney Sardelli will receive an additional large amount of discovery and disclosures in this case. Therefore, because of the timing of these disclosures, it is requested that additional time be granted to review the discovery and disclosures in this case.

Specifically, it is anticipated that the initial Government witness and exhibit list will not be disclosed until on or about 14 days prior to trial. Additionally, it is anticipated that a large amount of discovery will not be disclosed until on or about 7 days prior to trial. Furthermore, it is anticipated that the most relevant witnesses, to include cooperating witnesses, will not be disclosed until just prior to the commencement of trial. It is the Defense position that these witnesses will be the key to this case and that the Government will not be able to prove their case without these witnesses. Additional time will be needed to investigate and interview these witnesses in preparation for cross examination and the overall Defense of Mr. Banks. Also, these witnesses and additional disclosures may open important lines of investigation that may lead to additional potential Defenses and Defense witnesses.

As stated previously to the Court, Attorney Sardelli has been unable to fully argue motions because all discovery has not yet been made available to the Defense. Until all discovery and disclosures are made, the Defense will be unable to fully argue motions and/or prepare for trial.

For the record, if this Motion to Continue is not granted it is the Defense position that it will not be able to effectively Defend Mr. Banks and/or state to the Court that it is ready to proceed to trial. For that reason, and the additional reasons discussed above, Attorney Sardelli respectfully requests this Motion to Continue the motions date and trial date until a reasonable date after all discovery and disclosures are complete.

Accordingly, it is respectfully requested that additional time to review discovery, identify and call witnesses, prepare for cross-examination, and to prepare for trial be granted in this case. Attorney Sardelli would request that scheduling and future dates be discussed with all parties and the Court at next available date to be set by the Court.

It is the Defense understanding that the Government wishes to review all Defense pleadings and reserves the right to respond accordingly. Attorney Sardelli would request that the Government respond to this pleading and lay out their positions (in detail) as to the above issues.

DATED: February 25, 2019.

Respectfully submitted,

By: /s/ Brian Sardelli  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 25<sup>th</sup> day of February 2019, I filed this document via ECF with the Clerk of the Court and therefore caused a copy to be served on all counsel of record in this case.

Respectfully submitted,

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